



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3762
#3

In re Application of:

Andrew M. Pelletier et al.

Serial No.: 09/931,668

Filed: August 16, 2001

For: METHOD AND APPARATUS FOR
MONITORING FETAL STATUS
DATA

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Group Art Unit: 3762

Examiner: Kamm, William E.

Atty. Docket: GEMS:0055-4/YOD
31-PN-6223

Assistant Commissioner
for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:

January 18, 2002
Date

Lynda Howell
Lynda Howell

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

This is in Response to the Office Action mailed December 18, 2001. As best understood, the Examiner has identified what are believed to be two patentably distinct species of the claimed invention. The first species is said to be represented by claim 16, while the second by claim 23. The Examiner did not set forth specific claims or groups corresponding to these species. Applicant hereby provisionally elects to proceed on the basis of claims 16-22 and 28 through 35. While the Office Action acknowledged that all of claims 16-35 are pending in the present patent application, the Examiner did not address claims 28-35 with any specificity, or any of the dependent claims. However, as claim 28 also recites a "general purpose display station" as the Examiner observed as recited in claim 16, maintaining claims 28-35 in the application for Examination appears to be in order.

Should the Examiner nevertheless wish to discuss the present election, or if the Examiner believes that election is not completely responsive to the Office Action, he is

kindly requested to contact the undersigned at 281-970-4545. The Examiner is also kindly requested to issue a notice indicating the allowability of the elected claims at his earliest convenience.

If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Date: 1/18/2002

Respectfully submitted,

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